

Minutes for the Statewide Drinking Water Advisory Council

October 7, 2021

Meeting Start- 1:11 PM, no quorum

Attendees: Keith McCormack, Wayne Jernberg, Susan Manente, Charlotte Jameson, Dan Coss

1. EGLE Update

- EGLE is establishing a panel of experts to advise the department on corrosion control. Eric Oswald will chair the panel, 2 academics, 1 technical advisor, 2 representatives from EPA, and 1 individual from Michigan (at large member).
- Drinking water state revolving fund (DWSRF) update- there are three programs going on right now: the drinking water revolving loan fund, Booker amendment money that is slotted for lead service line replacements in disadvantaged communities, and MI Clean Water funding. If the council is interested the EGLE finance department can provide a list of projects and funding amounts.
 - McCormack ask if EGLE was creating an overall strategy for project funding; Oswald indicated that the department would look at a hybrid approach whereby they identify what the department sees as needs and also hears from communities coming forward for funding.
 - Jameson asked what role EGLE was playing as communities are replacing lead service lines. Oswald indicated that EGLE will be advising systems to follow the AWWA SOP as they are replacing LSLs.
 - Oswald also indicated that EGLE is looking actively at how they can move towards more consolidation of systems and infrastructure
- FY22 Budget- one FTE that will focus on lead service line removal. Overall, the budget is the same as it was last year. EGLE will be doing a manpower study to figure out what positions they need going forward.

2. Public Comment- McCormack opened the meeting up to public comment at 1:27 PM

- Sylvia Orduño- How is this advisory council helping with enforcement of education materials and education work by local councils? She also asked for Oswald to address, at a future meeting,
 - McCormack indicated there was an RFP and that from that RFP Gúd Marketing was selected. There were some good outlines and guidelines about what the council was trying to accomplish. However, we are expecting a very detailed work plan from Gúd Marketing. Then the Council will have an opportunity to review and comment on that work plan. McCormack did say that the Council likely won't play an enforcement role but will work to get information and materials out as much as possible so that it is accessible. Oswald said that in the lead and copper rule there are public education and public notification rules that EGLE can enforce. EGLE can issue violations and fines if utilities fail to put out the required notifications. EGLE is hoping that they won't have to

do that and that making education materials widely available will help utilities and local councils get that information out there. Manente said DHHS has been responding to Action Level Exceedances (ALEs) and so far, DHHS has responded in 40 communities. The response includes setting up sites to distribute filters and education materials. Education materials are available at distribution events and online. Room for improvement and it will be great to work with GÜd to have a more comprehensive package of materials.

- McCormack closed the public comment period at 1:37pm and turned it back to EGLE for further updates

3. EGLE Update

- Jennifer Bolt- Lead and Copper rule specialist spoke. She handles ALEs for EGLE to identify communities that have ALEs and navigate the process around response to ALEs.
- Communities are at the end of their summer monitoring period. ELGE is working on processing those monitoring results and following up with communities.
- Bolt also provided a breakdown of the difference between compliance sampling and investigatory sampling.
- Batterman indicated that he had heard that only about 40% of people are flushing after a repair. Concerning that very few people are actually doing it.
- Bolt indicated that compliance sampling is very separate than LSL replacements. In LSL replacements EGLE is very much recommending flushing.
- Bolt discussed ways for people to reduce exposure to lead.

Dan Coss joined the meeting

We achieved a quorum at 1:48 PM

4. Approval of agenda

- MOTION: Coss moved, supported by Jernberg, to approve the agenda.
- VOTE: Motion passed unanimously.

5. Approval of minutes

- MOTION: Jameson moved, supported by Coss, to approve the minutes from the September 10, 2021, meeting.
- VOTE: Motion passed unanimously.

6. Public Comment McCormack opened the meeting up to public comment at 2:02 PM

- Question from the public- are DHHS sampling data shared with EGLE? Bolt indicated that they generally are.
- Question from the public- is there been a way for DHHS sampling results and service line material information to be provided to the water system including the sampling address. Manente does not have the answer to that. We will pose the question to another DHHS representative joining the meeting later.

7. Introduction of the new EGLE Clean Water Public Advocate- Kris Donaldson introduced herself and indicated she had started in the clean water public advocate position a few weeks ago. Emily Posthumus also introduced herself and she is working in the Office of Clean Water Public Advocate

8. GÜD Marketing update

- McCormack discussed the meeting that he and Zoldan had with GÜD marketing on the work plan they are preparing. McCormack asked GÜD to give an update on where they are at with the project
- Zach Kreiger from GÜD discussed the project. They have started on the work plan, and it should be coming to the council for review in a couple days.
- First steps in the project will be one-on-one interviews with council members and other stakeholders to help scope out the work and the need.
- Manente asked if the early research will include talking to community members; GÜD indicated that yet they plan to do extensive conversations with community members
- Jameson asked how GÜD would overcome the lack of the firm's specific knowledge about the Michigan Lead and Copper Rule. GÜD responded that they brought on someone who used to work for DHHS and also has a number of advisors they have worked with in the past. Also have a note to work with the EGLE corrosion control panel.
- Thompson asked if they will be going to EJ communities and GÜD mentioned they will.
- GÜD will start in the next few weeks with one-on-one interviews.

9. Mini grants

- McCormack outlined his thoughts on creating a mini-grant program
- Batterman said we should look to see if there are any gaps in what GÜD marketing is doing and maybe we can address those gaps with the mini-grant program
- Manente said that the one-on-one interviews that GÜD is doing could also help us determine what needs the local councils have that we could fill with the mini grants
- Jameson said it might be good to wait till the GÜD marketing work plan comes back before we start figuring out what to use the mini grants for.
- Jernberg said it could be good to have a small workgroup of the council to reach out to local councils to get feedback from them.
- EGLE will determine who gets the funding and how much funding. EGLE would like guidance from the Council on what the eligible activities should be and what criteria they should use to evaluate applications. EGLE wants to make it easy for people to apply for the grants and easy for them to track and report back.
- Zoldan will send out an email to the Council asking for volunteers for a small workgroup to plan the mini-grant program. McCormack said we can also recruit people from outside the council to participate in the workgroup.

10. Other business

- McCormack would like to put together a group of people to review and provide input into the GÜD proposal

- Zoldan is worried about timeliness of reviewing material and that a way to do that would be to have a smaller workgroup to review the materials.
- Zoldan is setting up a specific GÜD marketing folder in the SharePoint.
- The workgroup would be a supplemental group that is committed to acting quickly and doing a more in-depth review of the materials.
- Thompson voiced her support for having diversity on the smaller workgroup and people from different communities that might be outside of the Council.
- McCormack is interested in about 6-12 people on the workgroup
- Jameson has concerns with creating a workgroup outside of the council for this work. She indicated that she believed that it would be hard to not have 5 people on the council to volunteer for the workgroup.
- Jernberg said that it is important to have perspectives outside of the Council to review and provide input into the products.
- GÜD said it would be difficult given the amount of material to have an open meetings act for each meeting
- Jameson sees the creation of this workgroup seems like an effort to work around the open meetings act; that we can also solicit broad feedback from outside stakeholders while still ensuring that we are being transparent.
- Zoldan indicated that practically she didn't believe that we could vet the sheer volume of information in the council meetings.
- Coss agreed that we shouldn't go around the open meetings act. We can see if we get 4 or less council members who are interested in participating and then move forward. We should also look at the GÜD workplan
- McCormack said that looking at the GÜD workplan is a good place to start and then we can also start on recruiting outside stakeholders to review materials.
- Batterman said that a lot of what we are talking about should be the work of the consultant. The piece that is missing is the expertise in lead. GÜD should also understand that members are willing to interact with them on an informal basis.

11. Public Comment

- Sylvia Orduño- Appreciated Jameson's comments about matters of transparency and echoing what Batterman was saying that it matters how we are carrying out the processes. She suggested that we consider in the context of the contract with GÜD getting a subcontractor to be able to provide the expertise on lead. On the matter of drinking water advisory councils- there is never any other link or information on the webpage that lists the local councils. It would be good to have information on the main council webpage about the local councils. In Detroit they didn't start a new council they just used an existing council, which isn't in line with the spirit of what the local councils should be. Can the council do the follow up to figure out what the local councils are doing, who is on them, etc?
 - McCormack commented on the lack of information on the 36 councils, and it might be something that we ask GÜD to look at and cover in some way. How can communities that are smaller than 50,000 form a council is unclear but is a really good point. How the main council reaches out to those smaller communities is in our preview.

- Nayyirah Sherriff- concurs with Orduño's comment that there should be follow up with the establishment of local councils and clear guidance of what those councils should be, so that water suppliers can't just use an existing council. She also has questions about how materials that are going to smaller communities are being vetted to make sure it is culturally relevant and accurate.

12. Closing remarks from the chair- McCormack provided closing remarks. The next meeting is Nov. 10th.

13. MOTION:

VOTE: Motion passed unanimously

Meeting adjourned at 3:24 PM.